

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 1:03-1748-MBS
)	
Plaintiff,)	
)	ORDER VACATING AND SETTING
vs.)	ASIDE DECREE OF FORECLOSURE
)	AND SALE AND FOR DISMISSAL
)	OF THE ACTION
THERESA MCELMURRAY, F/K/A)	
THERESA STEWART,)	
)	
Defendant(s).)	

This foreclosure action was commenced on May 21, 2003. A Decree of Foreclosure and Sale was filed on September 16, 2003. Before completion of this action, the defendant filed for bankruptcy under Title 11, Chapter 13, United States Code. Thereafter, foreclosure proceedings were stayed pending disposition of the bankruptcy case. It now appears that additional servicing is required on defendant's account before foreclosure can proceed.

IT IS ORDERED, ADJUDGED AND DECREED that the Decree of Foreclosure and Sale filed in this matter on September 16, 2003, be, and the same hereby is, vacated and set aside, and to be of no effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this action be dismissed without prejudice.

Clerks of the Federal District Court and the appropriate County Court are authorized and

directed to cancel of record any Lis Pendens which may have heretofore been filed in this action.

IT IS SO ORDERED.

/s/ Margaret B. Seymour

UNITED STATES DISTRICT JUDGE

Columbia, South Carolina

August 28, 2007